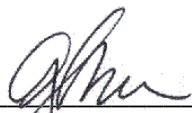


1 Plaintiff now claims the Government's withholding of the \$21,720 pursuant to the
2 1993 Stipulation violates various amendments of the United States Constitution as well as
3 the civil Racketeering Influenced and Corrupt Organizations Act, 18 U.S.C. § 1964.
4 However, the Government has not waived immunity or consented to suit. Furthermore, a
5 four-year statute of limitations applies to actions brought under the RICO Act and in the
6 State of Nevada, the personal injury statute of limitations is two years. Here, Plaintiff
7 alleges the Government conduct occurred in 1991 – twenty years ago. Accordingly,
8 Plaintiff's claim is time-barred.

9 Therefore, this district court finds that the instant appeal is frivolous or taken in
10 bad faith and that *in forma pauperis* status should be revoked. *See* 28 U.S.C. §
11 1915(a)(3); *see also Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002)
12 (revocation of forma pauperis status is appropriate where district court finds the appeal to
13 be frivolous).

14 DATED this 20th day of May, 2011.

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17 Gloria M. Navarro
18 United States District Judge
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